

Court of Appeals, State of Michigan

ORDER

State Treasurer v Santiago Duran

Docket No. 279292

LC No. 07-003203-CZ

Jane E. Markey
Presiding Judge

William B. Murphy

Richard A. Bandstra
Judges

The order that defendant challenges states "This Order shall continue in effect until Defendant Santiago Duran is released from the physical custody of the State of Michigan, Department of Corrections." Defendant was released on parole on September 18, 2007, and thus is no longer in the physical custody of the Department of Corrections. The order that defendant challenges has thus expired by its own terms. Where it is impossible to fashion a remedy, an issue is moot. *People v Rutherford*, 208 Mich App 198, 204 (1994). Therefore, defendant's application for delayed appeal is DENIED on that basis.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 05 2008

Date

Sandra Schultz Mengel
Chief Clerk